

## NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL,  
TUESDAY, JANUARY 27, 2009  
COUNCIL CHAMBERS, 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA

### 5:30 P.M. SPECIAL COUNCIL MEETING – STUDY SESSION

#### City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session: **Public Financing of City Council Elections**  
Contact: Vice Mayor Christopher Moylan, (408) 730-7473
4. Public Comment
5. Adjourn Special Meeting

### 7 P.M. COUNCIL MEETING

*Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.*

### SPECIAL ORDER OF THE DAY – Proclamation Recognizing Silicone Valley Reads Months

### SALUTE TO THE FLAG

### ROLL CALL

### PUBLIC ANNOUNCEMENTS

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

### CONSENT CALENDAR

- 1.A. MOTION Approval of Information/Action Items – Council Directions to Staff

### Fiscal Items

- 1.B. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 09-021 Nos. 436 and 437

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Peter Gonda, (408) 730-7385

*Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.*

- 1.C. MOTION Acceptance and Appropriation of the "AVOID Anti-DUI Program" Funds  
RTC 09-018 and Approval of Budget Modification #23

Staff Recommendation: Council accepts and appropriates the Office of Traffic Safety monies for the AVOID Anti-DUI Campaign and approve Budget Modification No. 23.

Staff Contact: Heather Tannehill, (408) 730-7157

- 1.D. MOTION Continuation of Supplemental Law Enforcement Funding  
RTC 09-019

Staff Recommendation: Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to fully fund one Patrol Team Captain

Staff Contact: Heather Tannehill, (408) 730-7157

1. E. MOTION City of Sunnyvale Investment Report – 4<sup>th</sup> Quarter 2008  
RTC 09-022

Staff Recommendation: Council receive s and files the investment report\

Staff Contact: Therese Balbo, (408) 730-7604

### **Contracts**

- 1.F. MOTION Revision of Cumberland and Ellis Schools Sports Fields Master Plans to  
RTC 09-024 Accommodate New Classrooms and Related Facilities

Staff Recommendation:

1. Council approves the Proposed Master Plan for Cumberland Elementary School sports field to include the new classrooms per Attachment A. and
2. Council approves the Proposed Master Plan for Ellis Elementary School sports field to include the new classrooms and facilities per Attachment B.

Staff Contact: Scott Morton, 408-730-7539

- 1.G. MOTION Award of a Contract for the Installation of an Alternative Monitoring  
RTC 09-020 System at the Water Pollution Control Plant (F0812-40) and Approval of Budget Modification No. 24

Staff Recommendation:

1. Council awards a contract, in substantially the same form as the attached draft Purchase order and in the amount of \$117,384, to Advanced Engine Technologies Corporation (AETC) to furnish and install an Alternative Monitoring System on the Caterpillar diesel engines at the Power Generation Facility;
2. Council approves a project contingency in the amount of \$11,738; and
3. Council approves Budget Modification No. 24.

Staff Contact: Peter Gonda, (408) 730-7385

- 1.H. MOTION Authorization to Modify an Existing Contract for Vehicle Fuel (F0801-48)  
RTC 09-025

Staff Recommendation: Council authorizes modification of an existing contract with Petro-Diamond, Inc., in substantially the same form as the attached draft change order, by extending the contract end date to June 30, 2009 for the purchase of unleaded gasoline for City vehicles.

Staff Contact: Peter Gonda, (408) 730-7385

- 1.I. MOTION Award of Request for Proposals No. F0809-20 for Engineering Design  
RTC 09-026 Services for Water Well Connections to Transmission Mains and  
Approval of Budget Modification No. 26

Staff Recommendation:

1. Council awards a contract, in substantially the same form as the attached draft and in the amount of \$148,120 to HydroScience Engineers, Inc. for engineering designservices for Water Well Connections to Transmission Mains;
2. Council approves a design contingency in the amount of \$22,218; and
3. Council approves Budget Modification No. 26 to provide additional funding for the project.

Staff Contact: Peter Gonda, (408) 730-7385

- 1.J. MOTION Authorization to Modify an Existing Contract for Technical Services  
RTC 09-030 Relating to the City's NPDES Permit and WPCP Operations Support  
(F0801-49)

Staff Recommendation: Council modifies an existing contract with EOA, Inc., in substantially the same form as the attached Amendment to Consultant Services Agreement, by extending the contract for one additional year and implementing a new fee schedule for 2009, making a total six year contract with a total not to exceed value of \$2,179,000.00.

Staff Contact: Peter Gonda, (408) 730-7385

**STAFF RESPONSES TO  
PRIOR PUBLIC  
COMMENTS**

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.*

**PUBLIC COMMENTS**

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

**PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION Policy Supporting Connections to Regional Bicycle Facilities – Study  
RTC 09-014 Issue

Staff Recommendation: Staff and the Bicycle and Pedestrian Advisory Commission recommend Alternative 2: Council considers study of Stevens Creek Trail policy as a potential 2009 Study Issue but make no revisions to other City policy on regional bike facility connections.

Staff Contact: Jack Witthaus, (408) 730-7330

3. MOTION Intergovernmental Assignment to a Stevens Creek Trail Interagency  
RTC 09-027 Coordination Committee

Staff Recommendation: Alternative No. 1: Council appoints a Councilmember to serve on the Stevens Creek Trail Coordination Committee until January 2010.

Staff Contact: Jack Witthaus, (408) 730-7330

4. MOTION Request by staff for continuance of 2008-0485: Business Identification on  
RTC 09-029 Ground Signs and Size of Street Address Numbers (Study Issue)

Staff Recommendation: Council continues this item to February 10, 2009

Staff Contact: Mariya Hodge, (408) 730-7659

5. MOTION 2008-0946: Appeal by the applicant of a decision of the Planning  
RTC 09-017 Commission denying an application for a Special Development Permit to allow a 136-square foot shed at a single-family residence resulting in more than 40% lot coverage. The property is located at 506 Davenport Ct. (near Yukon Dr.) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District

Staff Recommendation: Council grants the appeal and approves the Special Development Permit for a 120-square foot shed with the attached conditions.

Staff Contact: Rosemarie Zulueta, (408) 730- 7437

6. ORDINANCE 2008-0238 - Dale Meyer Associates [Applicant] Nikoley Richard L and  
MOTION Beatrice F [Owner]: Application for related proposals for a property  
RTC 09-023 located at 127 W. California Avenue (near N. Murphy Ave.) in an R-3 (Medium Density Residential) Zoning District.
- Rezone from R-3 (Medium Density Residential) to R-3/PD (Medium Density Residential/Planned Development) Zoning District,
  - Special Development Permit to allow 5 residential townhomes,
  - Tentative Map to subdivide one lot into five lots and one common lot.

Staff Recommendation: Council introduces an Ordinance to Rezone 127-133 W. California Avenue from R-3 to R-3/PD and approves the Special Development Permit and Tentative Map for five units and one common lot with attached conditions

Staff Contact: Surachita Bose, (408) 730-7443

7. ORDINANCE 2008-1056 – Application for related proposals located at 615 Dunholme  
MOTION Way (near Floyd Ave.) in an R-0 (Low Density Residential) Zoning  
RTC 09-028 District. (APN: 309-16-007) NC;
- Parcel Map to subdivide one lot into two lots;
  - Rezone from R-0 (Low Density Residential) to R-0/PD (Low Density Residential/Planned Development) Zoning District;
  - Special Development Permit to construct an additional single family home.

Staff Recommendation: Council introduces an Ordinance to Rezone 615 Dunholme Way from R-0 to R-0/PD, and approves the Special Development Permit and Parcel Map with attached conditions.

Staff Contact: Noren Caliva, (408) 730-7637

**COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

**NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 09- 031 Opportunity for Council to appeal decisions of the Planning Commission of January 12, 2009 and the Administrative Hearing of January 14, 2009
- Draft Minutes of Board of Library Trustees Meeting of January 5, 2009
- Draft Minutes of Heritage Preservation Commission Meeting of January 14, 2009
- Draft Minutes of Parks and Recreation Commission Meeting of January 14, 2009

**ADJOURNMENT**

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**Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

### **Planning to present materials to Council?**

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

### **SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
January 23, 2009	Council Study/Budget Issues Workshop	8:30 a.m.	Council Chambers
January 27, 2009	Council Meeting	7 p.m.	Council Chambers
February 3, 2009	Council Meeting	7 p.m.	Council Chambers
February 10, 2009	Council Meeting	7 p.m.	Council Chambers
February 24, 2009	Council Meeting	7 p.m.	Council Chambers
March 3, 2009	Council Meeting	7 p.m.	Council Chambers

### **OTHER SCHEDULED MEETINGS**

January 26, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
January 26, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
January 28, 2009	Administrative Hearing	2 p.m.	West Conf. Room
January 28, 2009	Housing & Human Services Commission	7 p.m.	West Conf. Room
February 2, 2009	Board of Library Trustees	7 p.m.	Council Chambers
February 4, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
February 9, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
February 9, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
February 11, 2009	Administrative Hearing	2 p.m.	West Conf. Room
February 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
February 12, 2009	Personnel Board	5 p.m.	Council Chambers
February 12, 2009	Special Housing & Human Services Commission (Presentation of Human Services Proposals)	7 p.m.	West Conf. Room
February 19, 2009	Bicycle Advisory and Commission Meeting	6:30 p.m.	West Conf. Room
February 18, 2009	Arts Commission	7 p.m.	Council Chambers
February 23, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
February 23, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
February 25, 2009	Administrative Hearing	2 p.m.	West Conf. Room
February 25, 2009	Housing & Human Services Commission	7 p.m.	West Conf. Room
March 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
March 18, 2009	Arts Commission	7 p.m.	Council Chambers
March 25, 2009	NOVA Workforce Board Meeting	Noon	NOVA Board Room

### **CHANNEL 15 – KSUN**

January 23, 2009	City Council Study/Budget Issues Workshop - Live	8:30 a.m.
January 25, 2009	City Council Study/Budget Issues Workshop - Replay	8:30 a.m.
January 26, 2009	City Council Study/Budget Issues Workshop - Replay	8:30 a.m.
January 27, 2009	City Council Study/Budget Issues Workshop - Replay	8:30 a.m.
January 31, 2009	City Council Study/Budget Issues Workshop - Replay	8:30 a.m.
January 27, 2009	City Council Meeting - Live	7 p.m.
January 28, 2009	City Council Meeting - Replay of January 27, 2009	7 p.m.
February 1, 2009	City Council Meeting - Replay of January 27, 2009	4 p.m.
February 3, 2009	City Council Meeting - Live	7 p.m.
February 4, 2009	City Council Meeting - Replay of February 3, 2009	7 p.m.
February 8, 2009	City Council Meeting - Replay of February 3, 2009	7 p.m.
February 10, 2009	City Council Meeting - Live	7 p.m.
February 11, 2009	City Council Meeting - Replay of February 10, 2009	7 p.m.
February 15, 2009	City Council Meeting - Replay of February 10, 2009	4 p.m.
February 24, 2009	City Council Meeting - Live	7 p.m.
February 25, 2009	City Council Meeting - Replay of February 24, 2009	7 p.m.
March 1, 2009	City Council Meeting - Replay of February 24, 2009	4 p.m.
March 3, 2009	City Council Meeting - Live	7 p.m.
March 4, 2009	City Council Meeting - Replay of March 3, 2009	7 p.m.
March 8, 2009	City Council Meeting - Replay of March 3, 2009	4 p.m.

